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**IN THE HIGH COURT OF JUDICATURE AT MUMBAI  
APPELLATE CIVIL JURISDICTION**

**CIVIL APPLICATION NO.110 OF 2009  
IN  
WRIT PETITION NO. 4069 OF 1995**

**1.The Nashik Municipal Corporation & Anr.Applicants**

**Vs.**

**Caprihans India Ltd.**

**....Respondents**

**Mr. M.L. Patil, for the Applicants.**

**Mr. V. Sreedharan with Mr. Prakash Shah i/b. PDS Legal for Respondents.**

**CORAM : F.I. REBELLO &  
J.H. BHATIA, JJ.**

**DATED : 25<sup>TH</sup> JANUARY, 2010**

**P.C.**

In the instant case the petition was disposed of based on similar orders passed in other petitions. It appears that those matters were taken in Appeal and the Hon ble Supreme Court set aside the orders there.

2. The present matter was not the subject matter before the Supreme Court. However, the petitioners, the respondents herein, have agreed to pay the amount due to the Corporation. The Corporation asked the petitioner to pay in five instalments. They have paid two instalments and three instalments are to be paid by 30th November,

2010. An affidavit has been filed by Bipin Pradhan on behalf of the petitioners, respondents herein, setting out that they will comply with the understanding with the Corporation. In the light of that, in our opinion, no purpose would be served by keeping the Civil Application and Review Petition pending. The same are disposed off. In the event if the petitioners, the respondents herein, do not pay the instalments liberty to the Applicant-Corporation to apply for recall of this order. With the above observation Civil Application and Review Petition disposed off.

**(J.H. BHATIA,J.)**

**(F.I. REBELLO,J.)**